

CONFIRMED MINUTES

ENGINEERING AND INFRASTRUCTURE STANDING COMMITTEE MEETING
OF
ISAAC REGIONAL COUNCIL

HELD ON
WEDNESDAY, 2 DECEMBER 2020
COMMENCING AT 9.00AM

ISAAC REGIONAL COUNCIL
CONFIRMED MINUTES OF THE
ENGINEERING AND INFRASTRUCTURE
STANDING COMMITTEE MEETING
HELD IN COUNCIL CHAMBERS, MORANBAH
ON WEDNESDAY 2 DECEMBER 2020

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ISAAC REGIONAL COUNCIL
CONFIRMED MINUTES OF THE
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STANDING COMMITTEE MEETING
HELD IN COUNCIL CHAMBERS, MORANBAH
ON WEDNESDAY 2 DECEMBER 2020 COMMENCING AT 9.00AM

ATTENDANCE Cr Jane Pickels, Division Seven (Chair)
Mayor Anne Baker
Cr Greg Austen, Division One
Cr Sandy Moffat, Division Two
Cr Simon West, Division Four
Cr Viv Coleman, Division Eight

OFFICERS PRESENT Mr Robert Perna, Director Engineering and Infrastructure
Mr Gordon Robertson, Manager Corporate Properties and Fleet
Mr Sean Robinson, Manager Galilee and Bowen Basin Operations
Mr Nic Crous, Acting Manager Parks and Recreation
Mr Niall Tierney, Recoverable Works Engineer
Mr Robin Thekkekara, Design and Planning Engineer
Ms Brooke Maisey, Senior Communications Officer
Mrs Kylie Dowd, Executive Assistant
Mrs Nicole Money, Executive Assistant

1. OPENING

The Chair declared the meeting open at 9.01am and acknowledged the traditional custodians of the land on which we meet today and paid her respects to their Elders past, present and emerging.

The Mayor was not present at the commencement of the meeting.

2. APOLOGIES

The Committee received an apology from Cr Gina Lacey

Resolution No.: E&I0447

Moved: Cr Sandy Moffat

Seconded: Cr Greg Austen

The Engineering and Infrastructure Standing Committee accepts the apology received from Cr Gina Lacey.

Carried

Resolution No.: E&I0448

Moved: Cr Sandy Moffat

Seconded: Cr Simon West

That the Engineering and Infrastructure Standing Committee accepts Cr Viv Coleman as an alternate member.

Carried

3. DECLARATION OF CONFLICTS OF INTEREST

PERCEIVED CONFLICT OF INTEREST

Cr Sandy Moffat declared a perceived conflict of interest for Report 5.7 Saraji South Hal Road Crossover – Compensation Agreement Variation as her husband is and employee of BHP who has been conducting training on Saraji South.

DECLARED CONFLICT OF INTEREST

Cr Viv Coleman declared a declarable conflict of interest for Confidential Report 5.8 Award IRCT2054-0820-2020 Design and Construct 16 Person Ensuite Accommodation as one of the tenderers is an associate and a previous employee of Cr Coleman.

NOTE:

Council acknowledges that Chapter 5B Councillors' Conflicts of Interest of the Local Government Act 2009 does not apply to a Councillor if the matter to be resolved relates to a corporation or association that arises solely because of a nomination or appointment of the councillor by the local government to be a member of the board of the corporation or association.

4. CONFIRMATION OF MINUTES

Engineering and Infrastructure Standing Committee Meeting of Isaac Regional Council held in Council Chambers, Moranbah commencing at 9.00am on Wednesday 4 November 2020.

Resolution No.: E&I0449

Moved: Cr Sandy Moffat

Seconded: Cr Simon West

That the minutes from the Engineering and Infrastructure Standing Committee meeting held in Council Chambers, Moranbah on Wednesday 4 November 2020 are confirmed.

Carried

ATTENDANCE

Mayor Anne Baker entered the meeting room at 9.07am

5. OFFICERS REPORTS

5.1 Engineering and Infrastructure 2020/2021 Capital Projects Progress Report

EXECUTIVE SUMMARY

This report is to provide an update to the Engineering and Infrastructure Standing Committee and Council of the progress in delivery of the Engineering and Infrastructure 2020/2021 Capital Works Program.

OFFICER'S RECOMMENDATION

That the Committee recommends that Council:

1. *Receive and notes the monthly Engineering and Infrastructure 2020/2021 Capital Projects Progress Report.*
2. *Receive and notes works awarded under the 2020/2021 Engineering and Infrastructure Procurement Plan.*
3. *Receive and notes the 2020/2021 Engineering and Infrastructure Procurement Plan Report (detailing local contractor content).*

Resolution No.: E&I0450

Moved: Cr Viv Coleman

Seconded: Cr Greg Austen

That the Committee recommends that Council:

1. **Receive and notes the monthly Engineering and Infrastructure 2020/2021 Capital Projects Progress Report.**

2. Receive and notes works awarded under the 2020/2021 Engineering and Infrastructure Procurement Plan.
3. Receive and notes the 2020/2021 Engineering and Infrastructure Procurement Plan Report (detailing local contractor content).

Carried

5.2 Request for Tender - Purchase and Removal of Unused Residence - 23-29 Powerhouse Lane Clermont

EXECUTIVE SUMMARY

This report seeks approval to issue a Request for Tender (RFT) for the purchase and removal of an unused dwelling situated at 23-29 Powerhouse Lane Clermont as per Council Policy - STAT-POL-051 Procurement and Disposal Policy.

OFFICER'S RECOMMENDATION

That the Committee recommends that Council:

1. Approves issuing a Request for Tender for the purchase and removal of the unused residence - 23-29 Powerhouse Lane Clermont.
2. Amend the Engineering and Infrastructure 2020/21 Procurement plan to include this project.

Resolution No.: E&I0451

Moved: Cr Viv Coleman

Seconded: Cr Sandy Moffat

That the Committee recommends that Council:

1. Approves issuing a Request for Tender for the purchase and removal of the unused residence - 23-29 Powerhouse Lane Clermont.
2. Amend the Engineering and Infrastructure 2020/21 Procurement plan to include this project.

Carried

5.3 Fixed Term Carpenters Position

EXECUTIVE SUMMARY

This report is to request approval to extend the Corporate Properties Department fixed term carpenter position for a further 12 months to provide operational and capital efficiencies.

OFFICER'S RECOMMENDATION

That the Committee recommends that Council:

- Approves the modification to the Corporate Properties Department, 57,000.00 organisational structure to extend existing fixed term carpenter role 57,508.00 for a further 12 months.**

Resolution No.: E&I0452

Moved: Cr Sandy Moffat

Seconded: Cr Viv Coleman

That the Committee recommends that Council:

- Approves the modification to the Corporate Properties Department, 57,000.00 organisational structure to extend existing fixed term carpenter role 57,508.00 for a further 12 months.**

Carried

ATTENDANCE

Mr Nic Crous left the meeting at 9.18am and returned to the meeting room at 9.20am

5.4 State Local Government Asset Assessment Project - Bridge Capacity Assessment Pilot Program

EXECUTIVE SUMMARY

This report seeks to provide Council with an update following an assessment of the capacity of key bridges and the applicable loading conditions within the Isaac Region.

OFFICER'S RECOMMENDATION

That the Committee recommends that Council:

- Note the report presented including the travel restrictions that shall be imposed on the applicable bridge assets.**
- Note the defining of permit conditions is currently delegated to the Chief Executive Officer "HVMDLNR6 Power, as a road manager, to consent to the granting of a Higher Mass Limit (HML) permit subject to conditions"**

Resolution No.: E&I0453

Moved: Cr Simon West

Seconded: Cr Greg Austen

That the Committee recommends that Council:

1. Note the report presented including the travel restrictions that shall be imposed on the applicable bridge assets.
2. Note the defining of permit conditions is currently delegated to the Chief Executive Officer "HVMDLNR6 Power, as a road manager, to consent to the granting of a Higher Mass Limit (HML) permit subject to conditions"
3. Advocates to Governments and key current and future stakeholders, with a refocus around the impacts of the report findings.

Carried

5.5 Amendment to Engineering and Infrastructure 2020-2021 Procurement Plan - Saraji Road Pavement Rehabilitation Procurement Method

EXECUTIVE SUMMARY

This report requests an amendment to the approved Engineering and Infrastructure 2020/2021 Procurement Plan (Resolution No 6763) for the procurement method for delivery of the Saraji Road Pavement Rehabilitation Project.

OFFICER'S RECOMMENDATION

That the Committee recommends that Council:

1. **Approve the change for delivery of this project from Isaac Regional Council internal resources with wet plant hire to:**
 - a. **Procure and Appoint a Principle Contractor to undertake project delivery – through an advertised Open Tender process.**
 - b. **Procure and Engage a Contract Superintendent and Support Services through Local Buy arrangement LB279 for contract administration works.**
2. **Delegates the authority to the Chief Executive Officer to determine the successful tenderer for the works if valued under \$1m under delegation LGR88 – "Power to enter into a medium-sized contractual arrangement or large-sized contractual arrangement in accordance with a quote or tender consideration plan adopted by local government resolution" under Section 230(1) Local Government Regulation 2012 subject to the following conditions;**

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- a. *The tender evaluation report be provided to all Councillors at the same time that the Chief Executive Officer is considering the report,*
 - b. *Should any Councillor (free of any conflict of interest or material personal interest) notify the Chief Executive Officer that the matter should be escalated for Committee consideration, the Chief Executive Officer shall not exercise his delegated authority to determine the tender and shall instead arrange for the matter to be included in the agenda for the next available Engineering and Infrastructure Standing Committee Meeting or Council Meeting,*
 - c. *Should the Chief Executive Officer consider that the tender evaluation gives rise to extraordinary or potentially contentious issues, the Chief Executive Officer shall not exercise his delegated authority to determine the tender and shall instead arrange for the matter to be included in the agenda for the next available Engineering and Infrastructure Standing Committee Meeting or Council Meeting,*
 - d. *The Chief Executive Officer shall report outcomes of his actions to the Engineering and Infrastructure Standing Committee.*
3. *Delegates the authority to the Engineering and Infrastructure Standing Committee to determine the successful tenderer for works valued under \$10m under delegation LGR88 – “Power to enter into a medium-sized contractual arrangement or large-sized contractual arrangement in accordance with a quote or tender consideration plan adopted by local government resolution” under Section 230(1) Local Government Regulation 2012 subject to the following conditions;*
- a. *The tender evaluation reports be provided to all Councillors at the same time that the Engineering and Infrastructure Standing Committee is considering the report,*
 - b. *Should any Councillor (free of any conflict of interest or material personal interest) notify the Chief Executive Officer that the matter should be escalated for Council consideration, the Engineering and Infrastructure Standing Committee shall not exercise its delegated authority to determine the tender and shall instead request the Chief Executive Officer to arrange for the matter to be included in the agenda for the next available Council Meeting,*
 - c. *Should the Engineering and Infrastructure Standing Committee resolve that the tender evaluation gives rise to extraordinary or potentially contentious issues, the Engineering and Infrastructure Standing Committee shall not exercise its delegated authority to determine the tender and shall instead request the Chief Executive Officer to arrange for the matter to be included in the agenda for the next available Council Meeting.*
4. *Delegates the authority to the Chief Executive Officer to negotiate, execute and vary contracts determined under delegation by the Chief Executive Officer or the Engineering and Infrastructure Standing Committee.*
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- a. The tender evaluation reports be provided to all Councillors at the same time that the Engineering and Infrastructure Standing Committee is considering the report,
 - b. Should any Councillor (free of any conflict of interest or material personal interest) notify the Chief Executive Officer that the matter should be escalated for Council consideration, the Engineering and Infrastructure Standing Committee shall not exercise its delegated authority to determine the tender and shall instead request the Chief Executive Officer to arrange for the matter to be included in the agenda for the next available Council Meeting,
 - c. Should the Engineering and Infrastructure Standing Committee resolve that the tender evaluation gives rise to extraordinary or potentially contentious issues, the Engineering and Infrastructure Standing Committee shall not exercise its delegated authority to determine the tender and shall instead request the Chief Executive Officer to arrange for the matter to be included in the agenda for the next available Council Meeting.
4. Delegates the authority to the Chief Executive Officer to negotiate, execute and vary contracts determined under delegation by the Chief Executive Officer or the Engineering and Infrastructure Standing Committee.

Carried

5.6 North Goonyella - Compensation Agreement Variation

EXECUTIVE SUMMARY

BHP Mitsubishi Alliance has approached Isaac Regional Council to upgrade Mabbin Road to facilitate long term intermittent dragline shutdowns at Goonyella Riverside Mine. The report seeks to endorse principles for negotiation of the existing compensation agreement and seeks delegation to the Chief Executive Officer to negotiate, execute and vary the existing compensation agreement.

OFFICER'S RECOMMENDATION

That the Committee recommends that Council:

1. ***Endorse the Principles for dealing with BHP Mitsubishi Alliance and Peabody for the upgrade of Mabbin Road.***
2. ***Following the provision for Council to review and provide comment on the final draft agreement, delegate Authority to the Chief Executive Officer to negotiate, execute and vary the existing compensation agreement and subsequent deed of assignment and assumption.***

Resolution No.: E&I0455

Moved: Cr Sandy Moffat

Seconded: Cr Simon West

That the Committee recommends that Council:

- 1. Endorse the Principles for dealing with BHP Mitsubishi Alliance and Peabody for the upgrade of Mabbin Road.**
- 2. Following the provision for Council to review and provide comment on the final draft agreement, delegate Authority to the Chief Executive Officer to negotiate, execute and vary the existing compensation agreement and subsequent deed of assignment and assumption.**

Carried

PERCEIVED CONFLICT OF INTEREST

Cr Sandy Moffat declared a perceived conflict of interest for Report 5.7 Saraji South Hal Road Crossover – Compensation Agreement Variation as her husband is and employee of BHP who has been conducting training on Saraji South. Cr Moffat elected not to leave the room and to allow the Committee to vote on her participation.

Resolution No.: E&I0456

Moved: Mayor Anne Baker

Seconded: Cr Viv Coleman

That the Committee:

- 1. Agrees Cr Moffat can continue participation in the discussion and vote.**

Carried

5.7 Saraji South Haul Road Crossover - Compensation Agreement Variation

EXECUTIVE SUMMARY

BHP Mitsubishi Alliance has approached Isaac Regional Council to construct a haul road crossover across Golden Mile Road. The report seeks to endorse principles for negotiation of the existing compensation agreement and seek delegation to the Chief Executive Officer to negotiate, execute and vary the existing compensation agreement.

OFFICER'S RECOMMENDATION

That the Committee recommends that Council:

- 1. Endorse the Principles for dealing with BHP Mitsubishi Alliance for the Saraji South Haul Road crossover on Golden Mile Road.***

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2. **Following the provision for Council to review and provide comment on the final draft agreement, delegate Authority to the Chief Executive Officer to negotiate, execute and vary the existing compensation agreement dated 6th October 2004.**

Resolution No.: E&I0457

Moved: Cr Simon West

Seconded: Cr Greg Austen

That the Committee recommends that Council:

- 1. Endorse the Principles for dealing with BHP Mitsubishi Alliance for the Saraji South Haul Road crossover on Golden Mile Road subject to including in the Principles, consultation to occur with key stakeholders including agricultural stakeholders.**
- 2. Following the provision for Council to review and provide comment on the final draft agreement, delegate Authority to the Chief Executive Officer to negotiate, execute and vary the existing compensation agreement dated 6th October 2004.**

Carried

PROCEDURAL MOTION:

Resolution No.: E&I0458

Moved: Cr Viv Coleman

Seconded: Cr Greg Austen

That the Engineering and Infrastructure Standing Committee closes the meeting to the public at 10.06am under *Local Government Regulations 2012 Section 254J (3) (g)* to deliberate on Confidential Report 5.8.

Carried

PRESCRIBED CONFLICT OF INTEREST

Cr Viv Coleman declared a prescribed conflict of interest for Confidential Report 5.8 Award IRCT2054-0820-2020 Design and Construct 16 Person Ensuite Accommodation as one of the tenderers is an associate and a previous employee of Cr Coleman.

Cr Coleman left the meeting room at 10.06am and did not participate in the discussions or vote for Confidential Report 5.8

PROCEDURAL MOTION:

Resolution No.: E&I0459

Moved: Mayor Anne Baker

Seconded: Cr Sandy Moffat

That the Engineering and Infrastructure Standing Committee open the meeting to the public at 10.12am.

Carried

CONFIDENTIAL REPORT

Closed under s254J (1) (g) negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interest of the local government.

5.8 Award IRCT2054-0820-2020 Design and Construct 16 Person Ensuite Accommodation

EXECUTIVE SUMMARY

This report examines the responses received for Design and Construction of a 16 person Accommodation Facility in Moranbah and recommends awarding to the contractor providing the best value for money outcome for council.

OFFICER'S RECOMMENDATION

That the Committee recommends that Council:

- Approve the awarding of RFT IRCT2054-0820-202 Design and Construct 16 Person Ensuite Accommodation to Marlee Construction for the sum of \$991,099.00 excl GST.*
- Authorise the Chief Executive Officer to negotiate, execute and vary the contract.*

Resolution No.: E&I0460

Moved: Cr Simon West

Seconded: Cr Sandy Moffat

That the Committee under delegation:

- Approve the awarding of RFT IRCT2054-0820-202 Design and Construct 16 Person Ensuite Accommodation to Marlee Construction for the sum of \$991,099.00 excl GST in accordance with the Engineering and Infrastructure Procurement Plan.
- Authorise the Chief Executive Officer to negotiate, execute and vary the contract.

Carried

ATTENDANCE

Cr Viv Coleman returned to the meeting room at 10.13am

Cr Viv Coleman and Ms Brooke Maisey left the meeting room at 10.23am and returned at 10.26am

6. INFORMATION BULLETIN REPORTS

PROCEDURAL MOTION:

Resolution No.: E&I0461

Moved: Cr Viv Coleman **Seconded:** Cr Greg Austen

That the Committee adjourn the meeting for morning tea at 10.47am.

Carried

PROCEDURAL MOTION:

Resolution No.: E&I0462

Moved: Mayor Anne Baker **Seconded:** Cr Sandy Moffat

That the Committee resume the meeting at 11.00am.

Carried

ATTENDANCE

Cr Lyn Jones entered the meeting room at 11.00am

6.1

Engineering and Infrastructure Information Bulletin – December 2020

EXECUTIVE SUMMARY

The Engineering and Infrastructure Directorate Information Bulletin for December 2020 is provided for Committee review.

OFFICER'S RECOMMENDATION

That the Committee recommends to Council to:

- Note the Engineering and Infrastructure Directorate Information Bulletin for December 2020.***

Resolution No.: E&I0463

Moved: Cr Simon West

Seconded: Cr Sandy Moffat

That the Committee:

- Note the Engineering and Infrastructure Directorate Information Bulletin for December 2020.**

Carried

Note: The Committee acknowledges and thanks Ms Pagean Bailey for her work noting that Council issues the second highest number of permits in Australia with the fastest response time.

Feedback on the playground consultation to be provided to Councillors at the Strategic Planning Day scheduled for 9 December 2020.

7. GENERAL BUSINESS

7.1 Cycle Network – Capricorn Street Clermont

Mayor Anne Baker requested an update on the section of the Cycle Network on Capricorn Street in Clermont.

Director Engineering and Infrastructure advised the Committee that a report will be presented to Council in January regarding the Cycle Network, reviewing the design with consideration be given to change pending outcome of further investigation.

7.2 Purchase of Unused Amenity Block

Cr Sandy Moffat received an enquiry from the Dysart Gun Club regarding purchasing an unused amenity block from Council.

Manager Corporate Properties and Fleet advised the Committee of the Council Disposal Policy and there may be an opportunity to purchase at auction in early 2021.

7.3 Response from Valkyrie Community

On behalf of the Valkyrie Community Cr Viv Coleman passed on thanks to the Committee for the progression on the Valkyrie Access Road.

7.4 Valkyrie Community Concern – Rats Tail

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Cr Coleman advised the Committee of concern from the Valkyrie Community regarding the rock coming from Blue Mountain Road which has a known rat tail problem. The Community is concerned about the problem starting in the area

7.5 Advocacy for Quarries

Cr Coleman queried whether there is any advocacy planned for quarries due to the change in Mining Act –

Director Engineering and Infrastructure advised the Committee that an Officer is currently completing their SSE ticket which will enable Isaac Regional Council to be the SSE of Isaac sites.

7.6 Acknowledgement and Thankyou

The Chair, Cr Jane Pickels congratulated Officers on their efforts in the Movember challenge and money raised for this cause.

Cr Pickels thanked the Engineering and Infrastructure Committee and Officers for their hard work throughout a challenging year and for accepting Cr Pickels as the new Chair of the Engineering and Infrastructure Standing Committee. Cr Pickels made special mention to Mrs Sonja Swanton and Mrs Kylie Dowd for their work in the Engineering and Infrastructure Directorate.

Cr Pickels wished all a safe and relaxing Christmas and New Year and mentioned that she is looking forward to working with the Committee and Officers in 2021.

8. CONCLUSION

There being no further business, the Chair declared the meeting closed at 11.42am.

These minutes were confirmed by the Committee at the Engineering and Infrastructure Standing Committee Meeting held in Moranbah on Wednesday 10 February 2021.

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CHAIR

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DATE